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 12 COUPONS, INC.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

16 COUPONS, INC.,

17 Plaintiff,

18 vs.

19 JOHN STOTTLEMIRE, and DOES 1-10,

20 Defendants.

Case No. 5:07-CV-03457 HRL

**COUPONS' OPPOSITION TO MOTION  
TO STRIKE LETTER BRIEF**

Judge: Honorable Howard R. Lloyd

21 At the hearing, in the course of discussing the interrelationship of sections 1201(a) and  
 22 1201(b) of the DMCA, EFF commented on Coupons' argument that the coupons are unique to the  
 23 extent that they are each numbered for tracking. That lead to a discussion as to whether the  
 24 coupons, to the extent they are unique, could be derivative works under the copyright laws. The  
 25 Court asked the parties to brief: (1) Does adding the barcode make each coupon a separate  
 26 copyrightable work? (2) Is each coupon a derivative work?

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1 **PROOF OF SERVICE**

2 I, the undersigned, declare that I am a resident of the State of California, employed in the  
3 County of San Francisco, over the age of eighteen years and not a party to the within action. My  
4 business address is: Farella Braun + Martel LLP, 235 Montgomery Street, 17<sup>th</sup> Floor, San  
Francisco, California 94104.

5 On this date I served the within document(s):

6 **COUPONS' OPPOSITION TO MOTION TO STRIKE LETTER BRIEF**

7 **X** **MAIL:** by placing a true copy thereof, addressed as set forth below and enclosed in a  
8 sealed envelope with postage thereon fully prepaid and deposited for collection and mailing with  
9 the U.S. Postal Service. I am readily familiar with the ordinary business practice of this office for  
processing mail.

10 John Allan Stottlemire  
11 33103 Lake Garrison Street  
12 Fremont, CA 94555  
13 Telephone: 614-358-4185  
E-mail: jstottl@comcast.net  
Defendant – *Pro Se*

14 **X** **BY ELECTRONIC FILING:** the within document(s), the automatically generated  
15 notification for which constitutes service pursuant to General Order 45, Section IX(A) and (B).

16 I declare that I am employed in the office of a member of the bar of this court at whose  
direction the service was made.

17 I declare under penalty of perjury under the laws of the State of California that the above  
18 is true and correct. Executed in San Francisco, California on **May 20, 2008**.

19  
20 /s/  
21 Lawrence L. Coles